

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WILLIAM E. DUGAN, *et al.*,)
)
Plaintiffs,) CIVIL ACTION
)
vs.) NO. 07 C 5217
)
INTERNATIONAL CONTRACTORS,) JUDGE MILTON I. SHADUR
INC., an Indiana corporation,)
)
Defendant.)

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on November 26, 2007, request this Court enter judgment against Defendant, INTERNATIONAL CONTRACTORS, INC., an Indiana corporation. In support of that Motion, Plaintiffs state:

1. On November 26, 2007, this Court entered default against Defendant and granted Plaintiffs' request for an order directing Defendant to turn over its monthly fringe benefit contribution reports for December 2005 through October 2007 within 14 days of the entry of said Order. The Court retained jurisdiction to enforce the November 26, 2007 order and enter judgment against Defendant (a copy of the Order entered November 26, 2007 is attached hereto).

2. In December 2007, Plaintiffs received Defendant's monthly fringe benefit contribution reports through July 2005, within the July 2005 report indicated "final report." The monthly fringe benefit contribution reports submitted by Defendant for October 2004 through December 2004 and February 2005 through June 2005 indicate Defendant is delinquent in contributions to the Funds in the amounts set forth below:

Contributions

| | |
|---------------------|------------|
| Welfare Fund | \$6,927.59 |
| Pension Fund | \$5,946.50 |
| Apprenticeship Fund | \$ 710.85 |
| Vacation Fund | \$1,930.95 |

(See Affidavit of David S. Bodley)

3. Additionally, the following amounts are due for liquidated damages for September 2004 through December 2004 and February 2005 through June 2005:

| | <u>Liquidated Damages</u> |
|---------------------|-------------------------------|
| Welfare Fund | \$745.71 |
| Pension Fund | \$594.65 |
| Apprenticeship Fund | \$ 71.09 |
| Vacation Fund | \$193.10 |

(Bodley Aff. Par. 5). Copies of the monthly fringe benefit contribution reports for October 2004 through December 2004 and February 2005 through June 2005 are attached hereto.

4. In addition, Plaintiffs' firm has expended the total amount of \$1,485.00 in attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

5. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$19,135.44.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$19,135.44.

/s/ Beverly P. Alfon

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CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 5th day of February 2008:

Mr. Brett Waldo, Secretary
International Contractors, Inc.
1033 N 350 E
Chesterton, IN 46304

/s/ Beverly P. Alfon

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